

REMARKS

In the Office Action, claims 19-29 are pending. Claims 19-29 are rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure that is not enabling. Specifically, it is alleged that the crosslinking of the agent to form a cationic agent, such as described in claim 1 and the specification page 3, lines 19-27 and pages 4-10 and examples, are not included in the claims. As a first matter, Applicants note that this is a new ground of rejection not previously presented by the Examiner during prosecution. As such, the issuance of a Final Office Action is improper at this time is improper as not all the issues are clearly defined. See MPEP § 706.07 and § 706.07 (a). The Examiner is respectfully requested to withdrawn the finality of the present Office Action.

Claims 19 and 25 have been herein amended to specify that the polymers are "crosslinked". Support for this amendment can be found in the specification, see for example, page 5, lines 28-29.

Applicants acknowledge and thank the Examiner for withdrawal of the 35 U.S.C. 1039a) rejection. However, claims 19-29 remain rejected under 35 U.S.C. 102(b) as being anticipated by Killat et. al. (U.S. Patent No. 4,416,729). This rejection is respectfully traversed.

The present invention relates to the production of tissue paper wherein the paper wet strength resin or agent has **hydrophobic** side-chains (see claim 19) and tissue paper with resins or agents having polymers with **hydrophobic** side-chains (see claim 25). Neither the process or the tissue paper as claimed are disclosed by Killat.

In contrast to the **hydrophobic** side-chains taught and claimed by the present invention as providing softness to paper, Killat clearly discloses hydrophilic side-chains. Specifically, it is clearly shown in Killat that the carboxylic acids are reacted with the polyamidoamine backbone to form ammonium moieties as side chains. For example, see col. 2, line 15 and col. 9, lines 2-9 which describe the conversion of carboxylate ester branches to amide moieties by reacting ethylenediamine with the carboxylate ester, thereby transforming the original carboxylate ester branch to hydrophilic amine moieties. The conversion of amine moieties can then be converted to hydrophilic ammonium moieties as set out in col. 6, lines 23-39.

Further, Killat, at best, only suggests the general use of ammonium polyamidoamines in the manufacture of paper, flocculants, dimension stabilizers for textiles and the like. There is nothing in Killat that would teach, suggest, disclose, or even hint to one skilled in the art to provide **hydrophobic** side-chains to the crosslinked polymers making up the resin.

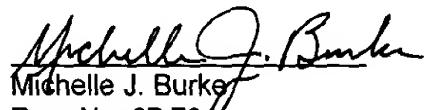
As claims 20-24, and 27-28 depend from claim 19 and claims 26 and 29 depend from claim 25, these claims are also believed allowable.

For the reasons set forth above, the present invention is both novel and non-obvious in view of the cited reference. The Applicants respectfully request that the Examiner reconsider the rejection of claims 19-29 and find the claims in condition for immediate allowance.

In accordance with Section 714.01 of the M.P.E.P., the following information is presented in the event that a call is deemed desirable by the Examiner:

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